

**REMARKS**

Claims 1-11 are pending. Reconsideration and allowance based on the below comments are respectfully requested.

Applicant appreciates the indication of claims 2, 4, 5 and 11 as containing allowable subject matter.

**Prior Art Rejections****Claim 1**

The Office Action rejects claims 1 and 3 under 35 U.S.C. §103(a) as being unpatentable over Yuyama, et al. (5,612,732) in view of Soltesz, et al. (US 5,756,978), Slaughter, III, et al. (US 5,598,536) and Landis, et al. (US 5,588,148); and claim 6 under 35 U.S. C. §103(a) as being unpatentable over Yuyama, Soltesz, Slaughter, III, Landis and Uchida, et al. (US 5,640,253) and claim 7 under 35 U.S.C. §103(a) as being unpatentable over Yuyama, Soltesz, Slaughter, III, Landis, Uchida and Yamada (JP 05323705). There rejections are respectfully traversed.

The Office Action rejects claim 1 in an ad hoc fashion alleging that various elements of the claimed features are found within four (4) different references and that one of ordinary skill would look to each of these references individually and be motivated to combine their teachings to obtain applicant's claimed invention as recited in independent claim 1. Applicant respectfully disagrees.

Yuyama teaches a portable image apparatus which can capture and store images. The portable image apparatus includes a memory slot for inserting removable memory. The portable image apparatus also includes a phone jack enabling the image apparatus to connect to a phone

line. The image is obtained by the image apparatus and can be transmitted via the telephone lines to other devices connected thereto. Yuyama does not teach or suggest reading identification information from an external memory. Further, Yuyama does not teach or suggest connecting to a server in accordance with identification information and transferring data to this server.

The Office Action provides Soltesz, Slaughter, III, and Landis to provide the teachings absent in Yuyama. Soltesz is provided to teach an information reader for reading identification information from an external storage medium. Soltesz teaches a cash/credit card register which reads information from a credit card regarding the owner of the credit card. The credit card contains personal identification information which the machine can read and display for the attendant of the cash/credit card register to view. The identification information is also used to identify the card user account. However, the identification information is not used to designate a server. The identification information is merely used to identify the owner of the credit card and that particular persons account, not a particular server.

Slaughter teaches an access server from which a user on a remote terminal may access. The user has an identification string (log-in/password) that identifies the user. The identification string is used to identify the user so as to allow the user access to appropriate databases on the server associated with that particular user. The identification string is not used to designate a particular server. Further, Slaughter's system requires a user to input the identification string. It is not obtained from an external storage medium.

Finally, Landis teaches a system for transferring data between computers. When data sets are transferred between the computers, a distinction is made whether the data sets are

complete. If they are not complete, a client profile is used to determine whether to transmit additional data or complete replacement data. The client profile is not used to designate a server.

Thus, the combination of Yuyama, Soltesz, Slaughter, III and Landis fail to teach or suggest, *inter alia*, an information reader for reading identification information from an external storage medium and a communicating device for communicating with a server through a network, the server being designated in accordance with the read identification information, as recited in claim 1.

Furthermore, Soltesz, Slaughter, III and Landis do not teach or suggest implementing their methods with any type of image capturing device. Thus, not only do the references fail to teach claim limitations, one of ordinary skill would not be motivated to combine their teachings.

Applicant notes that each of these four (4) references are not related and concern different teachings which can be viewed as non-analogous art, from which no motivation to combine the different teachings can be derived. Indeed, the combination of teachings from the various references amounts to an ad hoc assembly of excerpts from the claim language in order to teach the individual experts without consideration of the claim language in its entirety as it relates to each other.

For example, the claim language references a camera which comprises the various elements of the claim. Only the Yuyama reference refers to an image capturing device. Soltesz refers to a cash/credit card register, Slaughter, III refers to a computer connected to a remote server and Landis refers to a system for transferring data between computers. Even if individually each of these references taught an isolated feature of claim 1, one of ordinary skill would not combine these teachings with each of the other references since no motivation is

disclosed within the references themselves to align these teachings with an image capturing apparatus. Further, the distinctness of the teachings within each of the references, as each reference refers to a different technological area, would not motivate one of ordinary skill to make such a combination.

Therefore, in view of the above, applicant respectfully submits that the combination of references fails to teach each and every feature of independent claim 1. Further, no motivation is found to combine the teachings of the references. Accordingly, reconsideration and withdrawal of the rejection with regard to claim 1 and its dependent claims are respectfully requested.

#### Claim 8

The Office Action rejects claim 8 under 35 U.S.C. §103(a) as being unpatentable over Yuyama, Soltesz, et al, Slaughter, III, et al., Landis, et al., Inomata, et al. (US 5,905,983) and Mankovitz (US 5,703,795); claim 9 under 35 U.S.C. §103(a) as being unpatentable over Yuyama, Soltesz, Slaughter, III, Landis, Inomata, Mankovitz and further in view of Ikenoue (JP0200821); and claim 10 under 35 U.S.C. §103(a) as being unpatentable over Yuyama, Soltesz, Slaughter, III, Landis, Inomata, Mankovitz and Lee (US 5,565,857). These rejections are respectfully traversed.

The arguments above with respect to claim 1 also apply to claim 8. Claim 8 recites, inter alia, an information reader for reading identification information from an external storage medium; a non-volatile storage device for storage identification information of an owner of the camera; a communicating device for communicating with a server through a network, the server being designated in accordance with the users identification information.

Applicant respectfully submits that the combination of Yuyama, Soltesz, Slaughter, III, and Landis fail to teach that at least this feature of independent claim 8 for the same reasons as discussed above with regard to independent claim 1.

The Office Action is also provides Inomata to teach the feature of a non-volatile storage device for storing identification information of an owner of the camera and Mankovitz to teach the recited feature of a user identification information setting device for setting the owners identification information as users identification information if the information reader reads no identification information, and setting the identification information read by the information reader as the users identification information if the information reader reads the identification information, recited in claim 8.

Inomata teaches a database server which stores identification information of an object of a query result in an identification information area. The data identification is not identification information of an owner of a camera. Further, the storage area in Inomata is provided within a database server and not a camera.

Mankovitz teaches a system and apparatus for facilitating the broadcast of various information to an audience from a broadcast radio or television station. Specifically, the information includes identification of the broadcast program or song and other information related to that broadcast information or song. A user can request additional information from an information depository regarding programs received on the radio or television. A user enters certain information regarding the program or station and time of the program from which the information is retrieved in the information repository. See column 3 and column 7, lines 5-61.

Nowhere does Mankovitz teach or suggest a users identification information setting device, for setting an owners identification information in relation to user identification. In the Mankovitz system there is no user identification information that is used. Further, there is no reference or teaching of using such information in a camera device.

Therefore, in view of the above, applicants respectfully submit that the combination of references fails to teach each and every feature of independent claim 8 as required. Further, the arguments with respect to lack of motivation with regard to claim 1 also apply to claim 8. Therefore, not only does the combination of references fail to teach each and every feature of claim 8, there is no motivation to combine the teachings even if they were present. Further, Ikenoue and Lee which are applied to reject dependent claims 9 and 10, respectively, do not remedy the deficiencies of the references applied against independent claim 8.

Thus, in view of the above, applicant respectfully submits that claim 8 is distinguishable over the cited art. Accordingly, reconsideration and withdrawal of the rejections with regard to claim 8 and its dependent claims are respectfully requested.

### Conclusion

For at least the above reasons, it is respectfully submitted that claims 1-11 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By

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